

**Sonoma 101 Widening & Soundwall Construction (Wilfred to Route 12)
Final Negative Declaration/Final Environmental Assessment**

COMMENT #25 – LETTER page 1 of 2)



■ REAL ESTATE DEVELOPMENT ■ OUTDOOR ADVERTISING

November 16, 1998

Mr. Jim Smith
District Branch Chief
Department of Transportation - District 4
Box 23660
Oakland, CA 94623-0660

Re: Initial Study/Environmental Assessment
Hwy 101 Widening and Soundwall Construction in Sonoma County
Wilfred Avenue Interchange to Route 101/12 Separation

Dear Mr. Smith:

As we discussed on the phone, this letter will serve as notice that Veale Investment Properties is objecting to the placement of Soundwalls adjacent to two properties along the Hwy 101 corridor in Santa Rosa, California.

The above referenced plan calls for fourteen soundwalls, soundwalls No. 2 & No. 12 are the specific soundwalls that we are requesting not be installed. You informed us that Caltrans is mandated by the Federal Government when using Federal Funds to place soundwalls adjacent to residential properties.

Soundwalls No. 2 & No. 12 are located adjacent to Commercially zoned property that have State Licensed Outdoor Advertising Billboards on the property. Any obstruction of these billboards will result in liability to the State of California in excess of one million dollars. The following is a site specific description of each parcel.

Soundwall No. 2 is adjacent to our property at the corner of Santa Rosa Avenue and Scenic Avenue. The property does currently have six residential units and one billboard on it. The property is zoned M-1 and there is currently being processed a development plan for a mini-storage facility. This project will eliminate the residential homes and is scheduled to be completed in the summer of 1999.

Soundwall No. 12 is located adjacent to 278 Barham Avenue. This is a piece of property that is zoned C-2 PD. The current tenant of the property is a contractor and a billboard is located on the southern portion of the parcel.

Thank you for your time and attention regarding this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Jackson", is written over a horizontal line.

Tom Jackson

P.O. BOX 1496 ■ 100 E. STREET SUITE 101 ■ SANTA ROSA, CA ■ 95402 ■ (707) 575-3752 ■ FAX (707) 575-4540

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B

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Thomas M. Jackson

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SANTA ROSA, CA 95402
FAX (707) 575-4540

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85 Scenic Avenue
P. O. Box 4840
Santa Rosa, Ca. 95402

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RESPONSE #25 - LETTER

Tom Jackson - Veale Investment Properties (November 16, 1998)

Comment Number	Response
25-A	Soundwall #2 has been deleted from the project. As for Soundwall #12, located at 568-590 Olive Street, if the majority of the adjacent impacted property owners are interested in having it built, Caltrans is obligated to build it.
25-B	Reference is made to Section 5443(b) of the Outdoor Advertising Act, Business and Provisions Code, which state the following: Nothing in the article prohibits (b) "Any governmental entity from entering into a relocation agreement pursuant to Section 5412 or the department from allowing any legally permitted display to be increased in height at its permitted location if a noise attenuation barrier has been erected in from the of the display and that relocated display or that action of the department would not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code or an increase in the number of displays within the jurisdiction of a governmental entity which does not conform to this article. Any increase in height permitted under this subdivision shall not be more than that necessary to restore the visibility of the display to the main-traveled highway". Thus if the billboard is legally permitted by Caltrans and is a conforming display in all respects (zoning, spacing, etc.) the company can raise the height at their expense. <i>Please note that complying with Caltrans standards does not relieve the affected parties of complying with local ordinances.</i>